

JOURNAL OF THE SENATE [June 16, 1977]

STATE OF WISCONSIN

Senate Journal

Eighty-Third Regular Session

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THURSDAY, June 16, 1977.

10:00 A.M.

The senate met.

The senate was called to order by Fred Risser, president pro tempore of the senate.

The roll was called and the following senators answered to their names:

Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno and Van Sistine -- 32.

Absent -- None.

Absent with leave -- Senator Thompson -- 1.

The senate stood for the prayer which was offered by Reverend Frank R. Gaylord, Pastor of Bethany United Methodist Church, Madison.

The senate remained standing and Senator Bidwell led the senate in the pledge of allegiance to the flag of the United States of America.

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LEAVE OF ABSENCE

By request of Senator Bablitch, with unanimous consent, Senator Thompson was granted a leave of absence for the balance of the day.

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COMMITTEE REPORTS

The joint committee on Finance reports and recommends:

**Senate Bill 111**

Relating to taxation of metalliferous mineral mining, creating an investment and local impact fund board in the department of revenue, making appropriations and granting rule-making authority.

Introduction of senate amendments 1, 2, 3, 4, 5, 6, 7 and senate amendment 1 to senate amendment 3 to senate substitute amendment 1:

Ayes, 14 -- Senators Dorman, Kleczka, McKenna, Morrison, Maurer, Peloquin and Chilsen; Representatives Johnson, Otte, Roberts, Tropman, Lingren, Norquist and Quackenbush;

Noes, 0 -- None.

Adoption of senate amendment 1 to senate substitute amendment 1:

Ayes, 14 -- Senators Dorman, Kleczka, McKenna, Morrison, Maurer, Peloquin and Chilsen; Representatives Johnson, Otte, Roberts, Tropman, Lingren, Norquist and Quackenbush;

Noes, 0 -- None.

Adoption of senate amendment 2 to senate substitute amendment 1:

Ayes, 12 -- Senators Dorman, Kleczka, McKenna, Morrison, Maurer and Peloquin; Representatives Johnson, Otte, Roberts, Tropman, Lingren and Norquist;

Noes, 2 -- Senator Chilsen and Representative Quackenbush.

Adoption of senate amendment 3 to senate substitute amendment 1:

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**Ayes, 10 -- Senators Dorman, Kleczka, McKenna and Peloquin; Representatives Johnson, Otte, Roberts, Tropman, Lingren and Norquist;**

**Noes, 4 -- Senators Morrison, Maurer and Chilsen; Representative Quackenbush.**

**Rejection of senate amendment 1 to senate amendment 3:**

**Ayes, 9 -- Senators Dorman, Kleczka, McKenna and Peloquin; Representatives Johnson, Otte, Tropman, Lingren and Norquist;**

**Noes, 5 -- Senators Morrison, Maurer and Chilsen; Representatives Roberts and Quackenbush.**

**Adoption of senate amendment 4 to senate substitute amendment 1:**

**Ayes, 8 -- Senators Dorman, McKenna, Maurer and Peloquin; Representatives Johnson, Otte, Roberts and Tropman;**

**Noes, 4 -- Senators Morrison and Chilsen; Representatives Lingren and Quackenbush.**

**Adoption of senate amendment 5 to senate substitute amendment 1:**

**Ayes, 14 -- Senators Dorman, Kleczka, McKenna, Morrison, Maurer, Peloquin and Chilsen; Representatives Johnson, Otte, Roberts, Tropman, Lingren, Norquist and Quackenbush;**

**Noes, 0 -- None.**

**Rejection of senate amendment 7 to senate substitute amendemnt 1:**

**Ayes, 11 -- Senators Dorman, Kleczka, McKenna, Maurer and Peloquin; Representatives Johnson, Otte, Roberts, Tropman, Lingren and Norquist;**

**Noes, 3 -- Senators Morrison and Chilsen; Representative Quackenbush.**

**Adoption of senate substitute amendment 1, as amended:**

**Ayes, 11 -- Senators Dorman, Kleczka, McKenna, Maurer and Peloquin; Representatives Johnson, Otte, Roberts, Tropman, Lingren and Norquist;**

**Noes, 3 -- Senators Morrison and Chilsen; Representative Quackenbush.**

**Passage as amended with emergency statement attached:**

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Ayes, 11 -- Senators Dorman, Kleczka, McKenna, Maurer and Peloquin; Representatives Johnson, Otte, Roberts, Tropman, Lingren and Norquist;  
Noes, 3 -- Senators Morrison and Chilsen; Representative Quackenbush.

HENRY DORMAN  
Senate Chairman

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PETITIONS AND COMMUNICATIONS

**Senate Petition 81**

A petition by 284 Wisconsin citizens in opposition to the Norquist-Maurer amendments to the general property tax relief formula.

By Senator Sensenbrenner.

Read and referred to joint committee on Finance.

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MESSAGE FROM THE ASSEMBLY

By Everett E. Bolle, chief clerk.

Mr. President:

I am directed to inform you that the assembly has adopted and asks concurrence in:

**Assembly Joint Resolution 47**

Passed and asks concurrence in:

**Assembly Bill 540**

**Assembly Bill 585**

**Assembly Bill 639**

**Assembly Bill 641**

**Assembly Bill 657**

**Assembly Bill 377**

**Assembly Bill 449**

Adopted and asks concurrence in:

Motions Under Joint Rule 7:

A joint certificate of congratulations by the entire membership of the Assembly; cosponsored by the entire membership of the Senate for the CITY OF SHEBOYGAN on the occasion of "Bratwurst Day".

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MESSAGE FROM THE ASSEMBLY CONSIDERED

**Assembly Joint Resolution 47**

Relating to a priority drafting quota system for bill drafting.

By Representatives Barry, Johnston, Plewa, Engeleiter, Swoboda, Tuczynski, Travis, Byers, Fischer, Moody, Schricker, Lallensack, Potter, Wood, Tesmer, Looby, Kedrowski, Medinger, Hauke, Gerlach, Wahner, Ausman, Matty, Donoghue, Gunderson, Schmidt, Quackenbush, Rooney, Elconin, Litscher, Merkt, Duren, Murray, Behnke, Olson, Porter, Ellis and Kincaid.

Read and referred to committee on Senate Organization.

**Assembly Bill 540**

Relating to allowing sales and use tax refunds of less than \$2 upon request.

By Representatives McClain and Loftus.

Read first time and referred to committee on Education and Revenue.

**Assembly Bill 585**

Relating to requiring on a purchase money mortgage only the signature of that spouse who is the owner of record.

By Representatives Rutkowski and Thompson, by request of Wisconsin State Bar.

Read first time and referred to committee on Judiciary and Consumer Affairs.

**Assembly Bill 639**

Relating to administration of the tax laws (suggested as remedial legislation by the department of revenue).

By Committee on Remedial Legislation.

Read first time and referred to committee on Education and Revenue.

**Assembly Bill 641**

Deleting references to "assessors of incomes" (suggested as remedial legislation by the department of revenue).

By Committee on Remedial Legislation.

Read first time and referred to committee on Education and Revenue.

**Assembly Bill 657**

Relating to school bus registration fees.

By Representatives Dandeneau and Lato.

Read first time and referred to committee on Commerce.

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### **Assembly Bill 377**

Relating to authorizing mandatory risk-sharing plans for municipal liability insurance.

By Legislative Council.

Read first time and referred to committee on Commerce.

### **Assembly Bill 449**

Relating to the granting of the powers of a peace officer to certain arson investigators.

By Representative Elconin, cosponsored by Senator Flynn, by request of Attorney General, Bronson LaFollette.

Read first time and referred to committee on Governmental and Veterans' Affairs.

Motions Under Joint Rule 7:

A joint certificate of congratulations by the entire membership of the Assembly; cosponsored by the entire membership of the Senate for the CITY OF SHEBOYGAN on the occasion of "Bratwurst Day".

Read and concurred in.

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## CALENDAR OF JUNE 16

### **Assembly Bill 116**

Relating to registration of aircraft more than 35 years old.

The question was: Shall the senate adhere to its position on senate amendment 1?

Senator Berger moved that the senate recede from its position on senate amendment 1.

The motion prevailed.

Senator Kleczka moved reconsideration of the vote by which the senate receded from its position on senate amendment 1.

The motion prevailed.

By request of Senator Kleczka, with unanimous consent, the motion for reconsideration was laid on the table.

### **Senate Bill 391**

Relating to deer and bear damage payments.

Read a second time.

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By request of Senator Bablitch, with unanimous consent, **Senate Bill 391** was placed at the foot of the calendar.

**Assembly Bill 176**

Relating to limiting back billing by public utilities.

Read a second time.

Ordered to a third reading.

By request of Senator Bablitch, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 176**

Read a third time and concurred in.

**Assembly Bill 212**

Relating to the cost of duplicate deer hunting licenses.

Read a second time.

Ordered to a third reading.

By request of Senator Bablitch, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 212**

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno and Van Sistine -- 31.

Noes -- None.

Absent or not voting -- Senators Dorman and Thompson -- 2.

So the bill was concurred in.

**Assembly Bill 329**

Relating to construction, maintenance and repair of railroad crossings over streets and highways.

Read a second time.

Ordered to a third reading.

By request of Senator Bablitch, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 329**

Read a third time and concurred in.

**Assembly Bill 364**

Relating to motorcycle parking.

Read a second time.

Ordered to a third reading.

By request of Senator Bablitch, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 364**

Read a third time and concurred in.

**Assembly Bill 384**

Relating to income continuation insurance for local employes and granting rule-making authority.

Read a second time.

Ordered to a third reading.

By request of Senator Bablitch, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 384**

Read a third time and concurred in.

**Assembly Bill 437**

Relating to limiting the number of hunters and the game harvest in state wildlife areas.

Read a second time.

The question was: Adoption of senate amendment 1?

By request of Senator Berger, with unanimous consent, senate amendment 1 was laid on the table.

The question was: Adoption of senate amendment 2?

By request of Senator Berger, with unanimous consent, **Assembly Bill 437** was referred to the committee on Natural Resources and Tourism.

**Assembly Bill 460**

Relating to fermented malt beverage regulations affecting persons under 18 accompanied by an adult spouse.

Read a second time.

Ordered to a third reading.



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By request of Senator Bablitch, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 460**

Read a third time and concurred in.

**Assembly Bill 559**

Relating to the quota of "Class B" retail liquor licenses.

Read a second time.

Ordered to a third reading.

By request of Senator Bablitch, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 559**

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 17; noes, 15; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Berger, Bidwell, Chilsen, Dorman, Frank, Harnisch, Kleczka, Lorge, McKenna, Morrison, Offner, Parys, Peloquin, Radosevich, Swan and Van Sistine -- 17.

Noes -- Senators Bablitch, Braun, Cullen, Flynn, Goyke, Keppler, Krueger, Lasee, McCallum, Maurer, Murphy, Petri, Risser, Sensenbrenner and Theno -- 15.

Absent or not voting -- Senator Thompson -- 1.

So the bill was concurred in.

**Assembly Bill 560**

Relating to granting liquor licenses to museum restaurants.

Read a second time.

Ordered to a third reading.

By request of Senator Bablitch, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 560**

Read a third time and concurred in.

**Senate Bill 391**

Relating to deer and bear damage payments.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 391** was referred to the joint committee on Finance.

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By request of Senator Dorman, with unanimous consent, **Senate Bill 391** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

Ordered to a third reading.

By request of Senator Bablitch, with unanimous consent, the bill was considered for final action at this time.

### **Senate Bill 391**

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 1; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno and Van Sistine -- 31.

Noes -- Senator McCallum -- 1.

Absent or not voting -- Senator Thompson -- 1.

So the bill passed.

By request of Senator Bablitch, with unanimous consent, all actions were ordered immediately messaged.

By request of Senator Bablitch, with unanimous consent, the Senate returned to the second and third orders of business.

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## INTRODUCTION OF RESOLUTIONS

### **Senate Joint Resolution 41**

Establishing a special joint committee to investigate the management and release of inmates from the Ethan Allen School at Wales.

By Senators Murphy and Krueger; cosponsored by Representatives Gower, Lewis, Engeleiter, Matty, Snyder, Schmidt and Shabaz.

Read and referred to committee on Senate Organization.

**BILLS INTRODUCED**

Read first time and referred:

**Senate Bill 457**

Relating to removing corrections functions from the department of health and social services, creating a corrections board and making and changing appropriations.

By Senators Murphy, Keppler, Theno and Krueger; cosponsored by Representatives Gower, Lewis, Snyder and Schmidt.

To committee on Human Services.

**Senate Bill 458**

Relating to warning lights on emergency vehicles.

By Senators Sensenbrenner, McKenna, Maurer, Cullen, Van Sistine and Theno.

To committee on Commerce.

**Senate Bill 459**

Relating to special registration plates for firefighters.

By Senators Theno, McKenna, Maurer, Cullen, Van Sistine and Sensenbrenner.

To committee on Commerce.

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**AMENDMENTS OFFERED**

Senate amendemnt 3 to **Assembly Bill 216** by Senator Murphy.

Upon motion of Senator Bablitch the senate adjourned until 10:00 A.M. Tuesday, June 21.

10:58 A.M.